IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17744 of 2004

Between:

Smt. E. Bhagyamma, W/o. Sivasankar Goud,
Hindu, R/o. Bogolu Village, Veldurthy Mandal, Kurnool District.

..... PETITIONER

AND

1 The Joint Collector, Kurnool.
2 The Revenue Divisional Officer, Kurnool.
3 The Mandal Revenue Officer, Veldurthy, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, declaring the action of the 1st respondent in not passing any order on the appeal filed by the petitioner as illegal, and further declare that the proceedings of the 2nd respondent in Rc.No. B 1151/2004 dated 23-9-2004 suspending the authorisation of the petitioner of Bogolu Village, Veldurthi Mandal, Kurnool District as illegal, arbitrary

Counsel for the Petitioner:MR.U.RAMANJANEYULU

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

O R D E R:

The petitioner is the Fair Price Shop Dealer of Bogolu village, Veldurthy Mandal, Kurnool District. Basing on the report of the 3rd respondent-Mandal Revenue Officer, Kurnool, the

2nd respondent-Revenue Divisional Officer suspended the authorization of the petitioner vide proceedings

No. RC:B1151/2004 dated 23-09-2004 pending enquiry into the alleged irregularities in the distribution of the commodities. The petitioner preferred an appeal before the 1st respondent-Joint Collector along with an application for stay. Now, this Writ Petition is filed aggrieved by the inaction of the 1st respondent in considering the said Appeal preferred by the petitioner and consequently seeking a declaration that the order of suspension dated 23-09-2004 is arbitrary and illegal.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

Though, the learned counsel for the petitioner raised various grounds assailing the validity of the order of suspension dated 23-09-2004, since the statutory appeal is pending, I am not inclined to express any opinion on merits. However, keeping in view the plea of the petitioner that the 1st respondent failed to pass any orders even on her application for stay, I deem it appropriate to dispose of the writ petition with a direction to the

1st respondent to dispose of the application for stay in the Appeal filed against the order of suspension dated 23-09-2004 and to pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of one week from the date of receipt of a copy of the order.

Accordingly, the writ petition is disposed of. No costs.

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01-10-2004.

Mjl/*

Note: CC in two days

B/o MJL

To

1 The Joint Collector, Kurnool.
2 The Revenue Divisional Officer, Kurnool.
3 The Mandal Revenue Officer, Veldurthy, Kurnool District.

4. 2 CCs to G.P. for Civil Supplies, High Court buildings, Hyd.

5. 2 CD copies.